

man, Paschal, Pedigo, Potter, Scarborough and Superviele—19; lost.

On motion of Mr. Potter, the vote rejecting the amendment offered by Mr. Taylor, proposing to strike out "2d day of January next, and to insert "26th day of December," was reconsidered.

Mr. Bryan offered the following as a substitute for the resolution :

*Resolved*, That the Senate will adjourn from the 23d inst. to the 27th instant; adopted.

Mr. Jowers made the following report :

The select committee, to whom was referred a bill supplementary to an act to establish the New Orleans, Texas and Pacific Railway Company, for the extension of the New Orleans, Algiers and Opelousas Railway through Texas, approved February 16th, 1852, and also a bill to incorporate the Tyler and Dallas Railroad Company, together with various amendments, have had the same under consideration, and I am instructed to report the two bills above specified back to the Senate, and further to state that the committee have rejected all the amendments.

Mr. Hart introduced a bill for the relief of David B. Graham and S. M. Rainer; read first time.

#### ORDERS OF THE DAY.

A bill for the relief of John Tanner; read third time, and, on motion of Mr. Edwards, laid on the table.

Mr. Hart moved that the Senate adjourn until Monday morning at 10 o'clock; carried by the following vote :

YEAS—Messrs. Allen, Doane, Durst, Edwards, Guinn, Hart, Hill, Holland, Jowers, Keenan, Kyle, Lott, Martin, McAnelly, McDade, Paschal, Pedigo, Scarborough and Superviele—19.

NAYS—Messrs. Bryan, Gage, Millican, Newman, Potter, Scott, Taylor, Weatherford and Whitaker—9.

MONDAY, December 19, 1853.

Senate met pursuant to adjournment—prayer by the Rev. Mr. Craig—roll called—quorum present.

The journal of Saturday was read and adopted.

Mr. Weatherford presented the petition of Louis Edmondson for relief; referred to the committee on State Affairs.

Mr. Bryan presented the petition of J. Hamilton, asking for relief; referred to the committee on Public Debt.

Mr. Durst presented the petition of divers citizens of Refugio county, asking that colonial titles be granted; referred, on motion of Mr. Durst, to a special committee.

Messrs. Durst, Whitaker, Holland, Allen, Guinn and Bryan appointed said committee.

Mr. Potter chairman of the committee on the Judiciary, to whom was referred a bill conferring power on county courts to establish quarantine regulations, reported the same back to the Senate and recommended its passage with the following amendment:

Strike out all after the word "thereof," in the tenth line, and insert, "not inconsistent with the Constitution and laws of the State; and any person offending against any such regulations, shall, on conviction thereof, before any justice of the peace of the county in which the offence was committed, be subject to a fine of not exceeding one hundred dollars, or to imprisonment in the common jail of the county not exceeding thirty days; and the trial of all such cases shall be had and conducted in the same manner as is provided for the trial of other offences cognizable before justices of the Peace."

Mr. Potter, of said committee, to whom was referred a bill to incorporate the Rio Grande and Texas Insurance Company, recommended its passage with the following amendments:

1. Strike out the words "and be it further enacted," in each section after the first.

2. At the end of section three add: "but the forfeiture of interest and stock in said company shall not release such subscriber from liability for the payment of the note or notes given for such stock or subscription."

3. At the end of section five add: "and every share of stock shall entitle the holder thereof to one vote in the election of officers and management of the affairs of said company."

4. At the end of section seven add: "and in case the president and directors of said company shall insure or take risks of any kind exceeding the entire amount thereof, the amount of stock actually subscribed for and outstanding at the time any risk is taken, then they shall be personally liable to the parties insured for all losses over and above the amount of stock so subscribed for and outstanding."

Mr. Guinn, from the committee on Engrossed Bills, reported as correctly engrossed a bill to encourage the construction of railroads in Texas by donations of land.

Mr. Scott offered the following resolution:

*Resolved*, That the use of the old Senate chamber is hereby

granted to Mr. H. M. Hoyt, for the term of five months, to be used as a school-room, unless otherwise disposed of before the expiration of said time; adopted.

Mr. Wren introduced a bill to authorize the issuance of land certificates in certain cases; read first time.

### ORDERS OF THE DAY.

A bill to legalize the election of W. B. M. Nicholson as District Clerk of Hill county; read third time and passed.

A bill to encourage the construction of railroads in Texas by donations of land; read third time.

Mr. Weatherford offered the following amendment:

*Provided*, No railroad company shall have the additional quantity of land whose rails do not weigh 64 lbs. to the yard.

Mr. Sublett offered the following substitute for said amendment:

SEC. — That no railroad hereafter to be built shall be entitled to receive the additional sections of land herein granted, unless the railings of such road shall weigh at least 64 lbs. to the yard; adopted.

The amendment was then adopted.

Mr. Wren offered the following amendment:

*Provided*, Nothing in this act shall be so construed as to allow an additional grant of land to any road heretofore constructed; rejected.

Mr. Whitaker offered the following amendment:

And that the ties of which shall be eight feet long, and at least six inches by eight inches in thickness and width; and shall not be laid further apart than thirty inches from centre to centre; provided, the same shall not apply to contracts made previous to the passage of this act; rejected.

Mr. Millican offered the following amendment:

Strike out "sixteen sections," and insert "eight sections," wherever the same occurs; rejected by the following vote:

YEAS—Messrs. Armstrong, Martin, Millican, Taylor and Wren—5.

NAYS—Messrs. Allen, Bryan, Burks, Doane, Durst, Gage, Guinn, Hart, Holland, Jowers, Keenan, Kyle, Lott, McAnelly, McDade, Newman, Paschal, Pedigo, Potter, Scarborough, Scott, Sublett, Superviele, Weatherford and Whitaker—25.

Mr. Jowers moved to reconsider the vote adopting Mr. Sublett's amendment; carried by the following vote:

YEAS—Messrs. Allen, Bryan, Doane, Durst, Gage, Holland,

Jowers, Keenan, Lott, McDade, Newman, Paschal, Pedigo, Potter, Scarborough, Sublett, Superviele and Whitaker—18.

**NAYS**—Messrs. Armstrong, Burks, Guinn, Hart, Kyle, Martin, McAnelly, Millican, Scott, Taylor, Weatherford and Wren—12.

On motion of Mr. Jowers, said amendment was laid on the table.

Mr. Martin offered the following amendment :

Section 1st, 3d line, strike out "sixteen" and insert "twelve;" rejected.

On motion of Mr. Potter, the amendment of Mr. Sublett, just laid on the table, was taken up.

On motion of Mr. Potter, said amendment was amended by striking out "64" and inserting "54."

The amendment, as amended, was then adopted.

The question recurring upon the passage of the bill, the vote stood as follows :

**YEAS**—Messrs. Allen, Armstrong, Bryan, Burks, Doane, Durst, Gage, Guinn, Hart, Holland, Jowers, Keenan, Kyle, Lott, McAnelly, McDade, Newman, Paschal, Pedigo, Potter, Scarborough, Scott, Sublett, Superviele, Weatherford and Whitaker—26.

**NAYS**—Messrs. Martin, Millican, Taylor and Wren—4.

A message was received from the House, informing the Senate that the House had passed the following bills originating in the Senate :

A bill supplementary to an act authorizing the Commissioner of the General Landoffice to appoint additional draughtsmen and assistant clerks in his department, and to fix the salaries of the Commissioner and all under his control ; and

A bill to provide for the construction of the Mississippi and Pacific Railroad.

On motion of Mr. Keenan, the Senate adjourned until to-morrow morning at 9 o'clock.

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**TUESDAY, December 20, 1853.**

The Senate met pursuant to adjournment—roll called—quorum present.

The journal of yesterday read and adopted.

Mr. Keenan presented the petition of sundry citizens of Montgomery county, asking that Z. McCaleb be permitted to build a